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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,058	02/01/2002	Timothy Singleton	22823.00062	3942

7590 01/30/2003

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EXAMINER

BEAULIEU, YONEL

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,058

Applicant(s)

SINGLETON, TIMOTHY

Examiner

Yonel Beaulieu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Abstract

The disclosure is objected to because of the following informalities: since a method is also claimed, it is suggested to amend the abstract to reflect such. Appropriate correction is required.

Claim Objections

Claims 20 (second occurrence) through misnumbered claims 21 – 61 are objected to because the original numbering of the claims are not preserved.

Under Rule 1.126, the original numbering of the claims must be preserved throughout the prosecution. When claims are canceled the remaining claims must not be renumbered. When claims are added, they must be numbered by the applicant **consecutively** beginning with the number next following the highest numbered claim previously presented (whether entered or not). When the application is ready for allowance, the examiner, if necessary, will renumber the claims consecutively in the order in which they appear or in such order as may have been requested by applicant. [32 FR 13583, Sept. 28, 1967; revised, 62 FR 53131, Oct. 10, 1997, effective Dec. 1, 1997]. To advance prosecution, the claims have been renumbered. Consequently, claims 1 – 62 are pending.

Claim Rejections - 35 USC § 112

Claims 20 – 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 20, “the vehicle” (line 5) lacks antecedent basis because such has not previously been established. Claims 21 – 28 are necessarily rejected as being dependent upon the rejection of claim 20.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1, 3 – 10, 14, 15, 17, 20 – 25, 28 – 32, 36 – 38, 40, 41, 44 – 54, and 59 – 62 are rejected under 35 U.S.C. 102(e) as being anticipated by Bechtolsheim et al. (US 6,157,891).

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Regarding claims 1, 3 – 10, 14, 15, 17, 20 – 25, 28 – 32, 36 – 38, 40, 41, 44 – 54, and 59 – 62, Bechtolsheim et al. teaches a method and a system (title) for identifying the location of medical facilities along a travel route comprising mapping a travel route (see figs. 4 and 7 at least), providing a database and identifying medical facilities (hospitals) along the route (col. 19: 43 – 63; col. 21: 8 – 25 at least), preparing a name and address of identified facility (col. 1: 10 – 26; col. 3: 51 – 67); the route being manually mapped based upon a software program (storage device 118 in fig. 3; col. 5: 16 – 34); Bechtolsheim's method further comprising establishing non verbal communications link between a vehicle and the database (fig. 1; col. 2: 56 – 65; col. 3: 24 - 32 at least); identifying the location of a person traveling in the vehicle based upon inputted information (location of walker; col. 5: 59 – col. 6: 21 at least), the information being inputted using a keyboard/keypad (interface 131) and a wireless electronic device (600; see fig. 1); the travel route being calculated (see item 250 in fig. 3); displaying the information on at least one of an electronic screen and a printed document (col. 15: 23 – 36); Bechtolsheim provides for using a telephone and a website server (col. 20: 35 – 50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 11 – 13, 16, 18, 19, 26, 27, 33, 34, 42, 43, and 55 – 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bechtolsheim ('934) in view of Lin (US 6,157,891).

As discussed above, Bechtolsheim teaches all of the limitations except for making the travel route to identify medical facilities a flight plan carried on-board of an aircraft.

However, Lin teaches, in an analogous art, travel route being a flight plan carried on board of an aircraft (fig. 1; col. 1: 55 – 67 at least).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Bechtolsheim's system by making the travel route a flight plan carried on board of an aircraft as evidenced by Lin in order to provide versatility and improve on travel route identification.

While Bechtolsheim and Lin are somewhat silent on including a quality rating for at least one of the medical facilities. However, such would have been obvious to one of ordinary skill in the art at the time of the invention as only involving routine skill in the art because such would provide the user of the system with a clear understanding as to expected types of service.

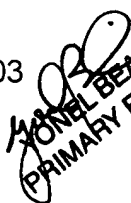
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (703) 305-4072. The examiner can normally be reached on M-R, from 0900-1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. CUCHLINSKI can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and same for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Y. BEAULIEU
January 25, 2003


YONEL BEAULIEU
PRIMARY EXAMINER